

Sentencing Policy Study Committee

Minutes of meeting on June 2, 2004

MEMBERS IN ATTENDANCE:

Hon. Richard Good
Sen. Glenn Howard
Sheila Hudson
Stephen Johnson
Larry Landis
Sen. David Long
Hon. David Matsey
Todd McCormack
Evelyn Ridley-Turner
Chief Justice Randall Shepard
Robin Tew

I. Call to Order and Opening Remarks

Sentencing Policy Study Committee Chair Senator David Long began the meeting by thanking the members who were present for their attendance. Sen. Long then introduced Dan Wilhelm, Director of the Vera Institute's State Sentencing and Corrections Program.

II. National Trends in Sentencing and Corrections: Dan Wilhelm, Director of State Sentencing and Corrections Program, Vera Institute of Justice.

Mr. Wilhelm started his portion of Vera's presentation by briefly discussing what exactly the Vera Institute of Justice does. Vera's State Sentencing and Corrections Program (SSC) helps state legislators, judges, corrections commissioners, attorneys general and other officials deal with the substantive needs and political realities that often make sentencing and corrections reform difficult to achieve. The program eases these challenges by connecting state officials with practitioners and policymakers who have significant experience in reforming sentencing and corrections policies in their own jurisdictions. Mr. Wilhelm then went through a PowerPoint presentation entitled "*National Trends in Sentencing and Corrections*." Initially the presentation discussed statistics from around the country that evidenced large increases in prison populations, supervised correctional populations, and corrections spending. Mr. Wilhelm also discussed changing public attitudes toward corrections, evidencing the trend towards public support of treatment and of addressing the root causes of criminality. Mr. Wilhelm next discussed the following five (5) state policy responses:

- Diversion statutes
- Interagency planning and analysis
- Reducing mandatory minimums for drug offenses
- Strategies to reduce overcrowding

- Re-entry and transitional planning

While discussing the five state policy responses, Mr. Wilhelm discussed the themes behind each of the five and provided various state examples from around the country. Committee members then stated that costs to operate correctional facilities were increasing quicker than prison populations were, that it was essential that the Committee know who exactly is being sent to prison, and that many states were turning to diversion to deal with drug treatment. Mr. Wilhelm's presentation concluded with a brief discussion of the prevalence (6 to 8 states) of permanent sentencing bodies.

III. Sentencing Policy Perspectives from Kansas and Minnesota: Barbara Tombs, Executive Director Minnesota Sentencing Commission.

Ms. Tombs discussed perspectives on sentencing reforms from her experiences in Kansas and Minnesota. Ms. Tombs served as Executive Director of the Kansas Sentencing Commission from 1995 to 2003 and was named Executive Director of the Minnesota Sentencing Commission in 2003. Ms. Tombs provided the Committee with the following suggestions and comments based on her experiences:

- The Committee needs long-term plans with short-term steps.
- The Committee needs to really understand the problem and not simply focus on the number of incarcerated individuals.
- The Committee needs to look at all data in order to make effective and meaningful changes to sentencing policy.
- The results of any reforms made by the Committee are likely to be realized in the future, not any time soon.
- Indiana needs to define what exactly it is we are trying to accomplish.
- The Committee must remember that punishment does not always mean imprisonment.
- The Committee needs to clearly define any specific target populations.
- The Committee must first educate itself on any topics of concern before it can educate the legislature, the public, and other professionals.
- Regardless of any new policies, there is going to be a "disaster" at some point.
- The Committee must always be honest.
- In order to effectively determine exactly what it is that Indiana needs, the Committee must first determine what Indiana currently has.
- In order to sell any idea, the Committee must first truly understand the current political environment.
- The Committee must identify any unintended consequences of proposed policy changes.

IV. The Evolution of Community Corrections: A Decade of Change, North Carolina 1993-2003: Robert Lee Guy, Director N.C. Division of Community Corrections.

Mr. Guy discussed a PowerPoint presentation that outlined North Carolina's Division of Community Corrections. Mr. Guy's presentation contained not only an overview of the current community corrections system in North Carolina, but a discussion of the ten years leading up to the current C.C. system. Mr. Guy discussed the passage and implementation of structured sentencing in 1994, the expansion of available community corrections resources, the implementation of a new case management policy, and the eventual transfer of community service work to the North Carolina Division of Community Corrections. After explaining the ten year process of community corrections reform in North Carolina, Mr. Guy then discussed the actual results of these changes by comparing statistics from 1993 to current data. Mr. Guy pointed out the money that was saved by the new C.C. system in North Carolina and the public policy benefits of the changes. Mr. Guy then discussed North Carolina's offender management system. Mr. Guy concluded his presentation by countering the argument that community corrections implies a state is being soft on crime. The Committee asked if North Carolina had seen a reduction in technical violations. Mr. Guy said that the response to technical violations had changed and prison no longer was the first option to deal with these offenders. Mr. Guy provided the Committee with a brief discussion of the employment efforts made by the N.C. Division of Community Corrections. Mr. Guy explained that although N.C. currently needs new prisons, the legislature was told (by projections provided by the N.C. Sentencing Commission) this would occur long ago. Mr. Guy concluded by discussing the funding structure used in North Carolina.

V. Discussion of Where the Vera Institute Feels They Can Help Indiana.

Sentencing Policy Study Committee Chair, Sen. David Long, asked the members of the Vera Institute in attendance where they thought Vera could help the Committee. Mr. Wilhelm stated the following:

- Vera can help figure out priorities and sharpen the Committee's focus.
- Vera can provide examples from other jurisdictions.
- Vera can give direction at key moments of the reform process.
- Vera can help with the state's work plan.
- Vera can augment research by providing best practices.
- Vera can provide judges, prosecutors, legislators, etc. from other jurisdictions to discuss similar issues.
- Vera can help with policy focus.

Mr. Guy pointed out the value of having a practitioner "looking over your shoulder," something Vera can provide. Ms. Tombs pointed out that it is helpful to learn from mistakes made in other jurisdictions, again something Vera can provide.

VI. Discussion and Adjournment

Sentencing Policy Study Committee Chair, Sen. David Long, thanked the Vera Institute of Justice for their presentation. After a fifteen minute break, members of the Committee were instructed to meet in their respective work groups.